

The following Rules of court, hereinafter to be cited as “Amended Local Probate Rules,” are hereby adopted and the same shall become effective on and after the 5th day of February, 2003.

5(E) (2) and Administrative Rule 12 , no pleadings will be accepted as filed by electronic facsimile.

2.4 All attorneys are required to prepare orders for al proceedings except when expressly directed otherwise by the Court.

2.5 Every pleading filed by or on behalf of a fiduciary in an Estate or Guardianship proceeding, including but not limited to Inventories, Petitions, and Accountings, shall be signed and verified by the fiduciary.

2.6 All pleadings filed shall contain the attorney's name, address, telephone number and registration number.

2.7 The initial Petition to open an Estate or Guardianship shall contain the name, address, social security number or date of birth and telephone number of the Personal Representative or Guardian. In the event of a change in address, the individual Personal Representative or Guardian shall immediately advise the court of the new address.

2.8 The Instructions to the Personal Representative or Guardian, executed by the fiduciary, must be filed with the court at the time letters are ordered issued in the proceeding. (See attached Instruction forms.)

LOCAL PROBATE RULE 3

ATTENDANCE OF PROPOSED FIDUCIARIES

3.1 Unless waived by the court, all proposed personal representatives and guardians who are residents of Indiana shall appear before the Vanderburgh County Clerk to qualify.

3.2 Unless waived by the court, non-resident personal representatives and guardians

shall appear in person before the Vanderburgh County Clerk to take their oath and submit an affidavit describing their education, employment and lack of felony convictions.

3.3 Such personal representative or guardian is under a continuing order of the Court to personally advise the Court and the attorney of record in writing as to any change of required information.

LOCAL PROBATE RULE 4

REPRESENTATION OF FIDUCIARIES BY COUNSEL

4.1 No personal representative or guardian of an estate may proceed without counsel without Court approval.

LOCAL PROBATE RULE 5

BOND

5.1 In every estate, the Court shall apply the provisions of I.C. 29-1-11 for fixing or waiving bond of the Indiana resident individual to serve as a personal representative, and shall apply the provisions of I.C. 29-1-10-1(d) to qualification of a non-resident individual to serve as a personal representative.

5.2 In every guardianship, the Court shall apply the provisions of I.C. 29-3-7-1 and 2 for establishing bond.

5.3 In the event the Court imposes restrictions upon access to property without a court order in a guardianship pursuant to I.C. 29-3-7-1 (c) (2), or access to property in an estate without a court order pursuant to I.C. 29-1-11-2, the fiduciary shall thereafter file with the Court within ten (10) days of the Order authorizing the creation of the restricted account or investment,

evidence satisfactory to the court that the account or investment has been created, and that the account or investment is restricted as required by the Court's order.

LOCAL PROBATE RULE 6

INVENTORY

6.1 An inventory shall be prepared by the fiduciary in all estates and guardianships. Such inventory shall be filed in supervised estates and guardianships as follows: Supervised estates, within sixty (60) days; Guardianships, within ninety (90) days for permanent guardian and within thirty (30) days for temporary guardian. The attorney for the fiduciary shall retain in his or her file the original of the inventory, or any supplement or amendment to it. In lieu of an inventory being filed in Unsupervised Estates, a personal representative may certify to the Court that an Inventory has been prepared, under the provisions of I.C. 29-1-7.5-3.2(a) and that the same, and any supplement or amendment thereto, is available. The attorney for the personal representative shall retain in his or her file the original of the inventory, or any supplement or amendment to it. All times relate to the date of appointment of the fiduciary. (Form: Certification of Inventory Preparation is attached). Upon application by the personal representative, the Court may, in its sole discretion, order an inventory, or any supplement or amendment to it, to be sealed. If so ordered, it may not be opened without an order of the Court, after notice to the personal representative and an opportunity for hearing.

6.2 In the event a supplement or an amendment to an inventory is filed, all such subsequent inventories must contain a recapitulation of prior inventories.

LOCAL PROBATE RULE 7

REAL ESTATE

7.1 In all supervised estates and guardianships in which real estate is to be sold a written professional appraisal prepared by a licensed real estate appraiser shall be filed with the Court at the time of filing the Petition for Sale, unless such appraisal was filed with the inventory.

7.2 All appraisals required by Rule 7.1 shall be made within one (1) year of the date of the Petition for Sale.

7.3 A copy of the deed shall be submitted with the Report of Sale of Real Estate or at the time of the hearing on the Final Account. Copies of such deeds shall be filed with the Court for its records.

7.4 Whenever a Final Decree reflects that real estate has vested in heirs or beneficiaries, evidence of recording, at the expense of the estate, a certified copy of the Final Decree in every county of this state in which any real property distributed by the decree is situated (except Vanderburgh County) shall be provided to the court with the Supplemental Report.

LOCAL PROBATE RULE 8

SALE OF ASSETS

8.1 In all supervised estates and guardianships, no Petition to Sell Personal Property shall be granted unless a written appraisal prepared by a person competent to appraise such property and setting forth the Fair Market Value thereof, is filed with the Court at the time of

the filing of the Petition to Sell, unless such appraisal was filed with the Inventory. This rule shall not apply to personal property that is sold at public auction.

8.2 All appraisals required by Rule 8.1 shall be made within one year of the date of the Petition to Sell.

8.3 No written appraisal shall be required for the sale of assets which are traded in a market and the value of which is readily ascertainable. Such assets include, but are not limited to, stocks, bonds, mutual funds, commodities, and precious metals.

LOCATE PROBATE RULE 9

ACCOUNTING

9.1 Whenever an estate is not closed within one (1) year, the Personal Representative shall:

A. In a supervised estate, file an intermediate account with the Court within thirty days (30) after the expiration of one (1) year and each succeeding six (6) months thereafter. The accounting shall comply with the provisions of I.C. 29-1-16-4 and 29-1-16-6 and,

(1) Shall state the facts showing why the estate cannot be closed and an estimated date of closing;

(2) Shall propose partial distribution of the estate to the extent that partial distribution can be made without prejudice to distributees and claimants; or,

B. In an unsupervised estate, file a statement with the Court stating the reasons why the estate has not been closed.

9.2 All accountings concerning restricted guardianship bank accounts shall contain a verification of those account balances by an officer of the financial institution in which such guardianship bank accounts are held.

9.3 All Social Security, Veterans, Retirement, or Medicare benefits received on behalf of an incapacitated person or minor shall be included and accounted for in the guardianship accountings unless Court approval has been previously granted to allow said funds to be paid directly to a residential or health care facility.

9.4 In all supervised estate and guardianship accountings, a notation shall be placed by each expenditure indicating the reason for or nature of the expenditure unless the payee name indicates the name of the expenditure.

EXAMPLE: CVS Drug Store - Prescription Drugs for Incapacitated Person
Dr. Edward Mohlenkamp - Doctor's Appointment
Hoffman Plumbing - Plumbing repairs to ward's home
Good Samaritan Nursing Home - January Nursing Home Care
Weinbach's - Clothing for ward

9.5 All accountings shall follow the prescribed statutory format. Informal, handwritten, or transactional accountings will not be accepted.

9.6 In a supervised estate, all Court Costs shall be paid and all claims satisfied and released and proof presented to the Court before the hearing on the Final Account.

9.7 The Federal Estate Tax Closing Letter and the Indiana Inheritance Closing Letter (countersigned tax receipt), or a photocopy thereof, showing payment of all Federal Estate and/or Indiana Inheritance Tax liability, shall be filed prior to entry of an order on the Final Accounting.

LOCAL PROBATE RULE 10

FEES OF ATTORNEYS AND FIDUCIARY

10.1 No fees for personal representative, guardians or attorneys shall be paid from any guardianship or supervised estate without prior written order of the Court.

10.2 A petition for fees must be signed or approved in writing by the personal representative or guardian.

10.3 Unless otherwise ordered by the court, payment of fees in a supervised estates shall be authorized as follows:

- A. One-half upon the filing of an inheritance tax return or upon a Court determination of no tax due; and
- B. The remaining one-half upon approval of the final accounting.

10.4 In a guardianship an initial petition for fees may be filed upon filing the inventory. Except as provided in paragraph 10.5, no further petition for fees will be approved until an annual, biennial or final account is approved.

10.5 When unusual circumstances require substantial work in a guardianship, the Court may award fees prior to the approval of an account.

10.6 Attorney fees for representing a minor in settlement of a claim for personal injuries are subject to Court approval. If the entire attorney fee is to be paid at the time a structured settlement is approved, the amount of the fee must be based on the present value of the settlement.

10.7 Unjustified delays in carrying out duties by the fiduciary and/or attorney may result in a reduction of fees.

LOCAL PROBATE RULE 11

GUARDIANSHIP

11.1 A Guardian Ad Litem appointed pursuant to I.C.29-3-2-3 will be paid reasonable compensation, considering the needs of the alleged incompetent respondent, the nature and relative difficulty of the services provided, local custom, the availability or limitations of resources of the Ward's Estate, and, in the discretion of the Court, any other considerations deemed relevant under the circumstances of the case.

11.2 In all guardianship matters seeking to declare an adult incapacitated for any reason, a Physician's Report by the doctor treating the alleged incapacitated person or such additional evidence as the court shall require, shall be presented to the Court at the time the petition is filed or on the hearing date to support the findings required by I.C. 29-3-4-1(d). The Physician's Report shall be in a form substantially similar to the form provided by these Rules.

11.3 In every petition for the appointment of a guardian of the person of a minor child, in addition to the statements required by I.C. 29-3-5-1(a), the following information shall also be given.

- A. The places where the child has lived within the past two years and the names and present addresses of persons with whom the child has lived during that period.
- B. Information relevant to the child's health, education and welfare.
- C. Whether, to Petitioner's knowledge, any other litigation public or

private is pending or threatened concerning the custody of the child in this or any other state.

- D. Any other matters relevant to the determination of the best interests of the person or property of the incapacitated person or minor.
- E. The Court may in its discretion initiate such further investigation, and obtain a report by the division of family and children or county office of family and children as the Court deems appropriate, pursuant to I. C. 29-3-9-11.

11.4 Current reports filed by a guardian of the person pursuant to I..C. 29-3-9-6(c) shall include the present residence of the incapacitated person and his or her general welfare; if the incapacitated person is an adult, a report of a treating physician concerning in then-current health of the adult; a statement of any changes affecting the findings of the court establishing the guardianship (including but not limited to economic changes); and the then-current living arrangements for the incapacitated person.

LOCAL PROBATE RULE 12

MISCELLANEOUS

12.1 Scheduled court hearings shall be taken at the time scheduled, if all parties are present and ready for hearing. Parties are to notify the bailiff of their readiness status. Those matters not ready on time shall be subject to stand-by availability after the conclusion of all hearings at which parties were ready at the scheduled time.

12.2 When opening a new cause of action in the Probate Division an attorney must file the initial pleadings.

12.3 The Court may cause a pleading to be scheduled to come before the court at a time when a contested evidentiary hearing is not possible. If so, the attorney or party filing the pleading shall serve Notice That Pleading Is Not Scheduled for Full Evidentiary Hearing (Form: Notice that Pleading is not Scheduled for Full Evidentiary Hearing is attached.) to the person or persons required by Indiana Statute or these Rules to receive notice of hearing on the pleading. The Notice That Pleading Is Not Scheduled For Full Evidentiary Hearing shall be served in addition to and in the same manner as any other notice of hearing required by Indiana statute or these Rules. However, the Notice That Pleading Is Not Scheduled For Full Evidentiary Hearing may be a separate document or may be incorporated into, and conspicuously stated as part of, any other notice required by Indiana statute or these Rules. The Court, upon application of a party and good cause shown, may grant an exception to the requirements of this Rule for a particular hearing.

12.4 The Court may adapt proceedings by standing order to effectuate the implementation of these rules, and may deviate from these rules when justice requires, but only upon showing of severe prejudice or hardship.

LOCAL PROBATE RULE 13

PRIVATE ADOPTIONS

13.1 Prior to filing the Petition for Adoption, if the Petitioner want temporary custody of the child, they must complete a pre-placement adoption investigation with a licensed agency.

The Adoption Investigation must include the following:

- A. Home - physical description or neighborhood, house, housekeeping standards, etc.

- B. Motivation and Understanding of Adoption - reasons to adopt, understanding of adoption and responsibilities to child. How Petitioner became aware of the child.
 - C. History of adoptive family members.
 - D. Police record checks of household members.
 - E. Information regarding marriage of adoptive parents.
 - F. Child rearing attitudes.
 - G. Employment and finances for household
 - H. Health and medical information for household members.
 - I. Information on adoptive child.
 - J. Information on birth parents (non-identifying).
 - K. Psychological evaluation - attach report.
 - L. Minimum of three references.
 - M. Recommendation.
 - N. Attorney will need to request a putative father search.
- 13.2 The following documents must be filed along with the Petition for Adoption:
- A. A statement under oath of how and when the arrangements were made for the Adoption.
 - B. Consent of birth mother and father. If consent is unobtainable then notice must be given. All Consents must be dated, notarized or duly verified.
 - C. Written acknowledgment by birth mother of availability of up to 3 hours of counseling at adoptive parents' expense within six months following the birth of the child.
 - D. Financial disclosure of incurred expenses and expected expenses.

13.3 A consent hearing will be set within thirty (30) days of the filing of the Petition for Adoption, at which time the birth mother should be represented by counsel to advise her as to her rights in consenting to the adoption and executing a voluntary waiver of parental rights. This attorney would be responsible for obtaining consents of the birth mother and birth father. The payment of attorney fees is the responsibility of the adoptive parents, regardless of whether the adoption is approved. If the birth mother is represented by independent counsel as recommended, and her Consent is obtained, then the birth mother need not attend the consent hearing, so long as the court finds that the Consent is in the proper form. If she is not represented by counsel, then she must attend the Consent hearing. If she is under the age of eighteen (18) then she must attend the consent hearing and be represented by counsel. Such hearing will not be attended by the Petitioners.

The birth father will also need to attend the Consent hearing if he does not execute a written Consent and Waiver of Notice to the hearing. If he is under eighteen (18) years of age, he must be represented by counsel and must attend the Consent hearing.

13.4 If the Petitioners have met the requirements of the Court on filing the necessary documentation for a Private Adoption the court may issue an order authorizing the Petitioners to have temporary custody of the child. If the Petitioners have not met the requirements of the Court, then they may not take physical custody of the child prior to an Order of this Court authorizing such placement. Such unauthorized custody may be grounds for (i) removal of the child from the Petitioners' custody and (ii) denial of the Petition for Adoption.

13.5 There is a Court-imposed mandatory one (1) year supervision of the placement by the licensed agency. A follow-up report or reports will be filed by the licensed agency

during the year of which placement is being supervised confirming that there have been no substantial changes in the Pre-Adoption or Adoption Investigation Report filed contemporaneously with the filing of the Petition for Adoption.

LOCAL PROBATE RULE 14

PROBATE CLERKS

The Vanderburgh County Clerk authorizes the deputizing of three (3) employees of the Vanderburgh Superior Court, Probate Division, to perform the duties in accordance with the Constitution of the United States of America and the Constitution of the State of Indiana with regard to any and all documents requiring the signature of a deputy clerk filed on behalf of Estates, Will Contests, Guardianships, Trusts, Adoptions, and any other documents in which the presiding Judge of the Vanderburgh Superior Court, Probate Division, authorizes said deputies to sign. The Vanderburgh County Clerk further authorizes said deputies to administer oaths, and two of the deputies are authorized to issue receipts for court costs and miscellaneous copies for all estates, trusts, guardianships, and adoptions filed in the Vanderburgh Superior Court, Probate Division.

Scott R. Bowers, Judge
Vanderburgh Superior Court

Brett J. Niemeier, Judge
Vanderburgh Superior Court

Robert J. Pigman, Judge
Vanderburgh Superior Court

Wayne S. Trockman, Judge
Vanderburgh Superior Court

J. Douglas Knight
Vanderburgh Superior Court

Mary Margaret Lloyd, Judge
Vanderburgh Superior Court

Robert J. Tornatta, Judge
Vanderburgh Superior Court

INSTRUCTIONS TO PERSONAL REPRESENTATIVE OF SUPERVISED ESTATE

Read the following carefully; then, date and sign one copy and return it to the Court. Keep a copy for your reference.

You have been appointed PERSONAL REPRESENTATIVE of the Estate of a deceased person. It is important that you understand the significance of the appointment and your responsibilities. This makes you what is known in law as a “fiduciary” charged with the duty to act responsibly in the best interests of the estate and impartially for the benefit and protection of creditors and beneficiaries. You may be held personally liable if you breach this trust.

This is a SUPERVISED ADMINISTRATION. This means that your actions are supervised almost entirely by the Court; therefore, before you take any action of importance to the Estate, such as the transfer or sale of assets, you must first seek the permission of the Court. If you have any questions as to whether to seek court permission, you should discuss this with your attorney before taking any action.

Listed below are some of your duties but not necessarily all of them. Ask the attorney for the Estate to fully explain to you each of the items below and to tell you about any other duties you have in your particular circumstances. Although the attorney will assist you, the ultimate responsibility to see that the estate is properly handled rests with you.

INVESTIGATE, COLLECT AND PROTECT THE PROPERTY OF THE DECEDENT

- 1.1 Inspect all document and personal papers of the decedent and retain anything pertinent to tax reporting, location and value of assets, debts or obligations of or to the decedent or any other items of significance to the administration of the estate of the decedent.
- 1.2 Complete change of address form at Post Office to have mail forwarded to you.
- 1.3 Keep a separate checking account or other type of transaction account for the Estate and keep a record of all receipts and disbursements. Never commingle Estate funds with any other funds or use them for other than Estate purposes. Accounts and securities which are registered to the Estate should be in your name “as Personal Representative for the Estate of (name of Decedent).” Retain all paid bills and canceled checks or other evidence of disbursement or distribution of any funds or assets of the Estate for the Final Report of the Court.
- 1.4 Locate and secure all property in which the decedent had any interest, separately or jointly. Maintain adequate insurance coverage.
- 1.5 Determine the values of all assets on the date of death, obtaining appraisals if needed.
- 1.6 Collect any proceeds of life insurance on the life of the decedent which is payable to the Estate. Obtain Form 712 from the insurance company, if needed for taxes.
- 1.7 Sign your name as “Personal Representative for the Estate of (name of decedent)” on accounts and securities which are registered to the estate. Consent to Transfer forms are available from the County Assessor.
- 1.8 Within two (2) months after you qualify and receive Letters of Personal Representative, you must file with the Court an inventory of all property found belonging to the decedent on the date of death and giving values as of the date of death.

PAY VALID CLAIMS AND KEEP RECORDS OF ALL DISBURSEMENTS

- 1.9 Personally notify decedent's creditors whom you can reasonably ascertain. Others are notified by publication in the newspaper. Generally, creditors have three (3) months after the date of first publication to submit their claims.
- 1.10 Pay legal debts and funeral bills and keep notations indicating the reason for each payment.
 - A. Pay only priority claims timely filed if there is a question of solvency of the estate.
 - B. Do not pay bills which are doubtful but refer them for Court determination.
- 1.11 Prepare and file the appropriate state and federal income, estate and inheritance tax forms in a timely manner. Pay taxes due or claim applicable refunds.
- 1.12 Pay court costs when due; however, attorney fee's and fiduciary fees are only paid after written Court order.
- 1.13 Keep records of all receipts and all paid bills and canceled checks or other evidence of distribution of any funds or assets of the estate for the Final Report to the Court.

DISTRIBUTE THE ASSETS OF THE ESTATE AND CLOSE THE ESTATE

- 1.14 File a Final Account with this court (with "vouchers" or canceled checks) within one year from the date you received your Letters from this Court. If you cannot meet this deadline, you must show good cause for an extension.
- 1.15 After Court authorization, make distributions to the proper heirs of beneficiaries and obtain receipts for these.
- 1.16 File a supplemental report to the Court (with "vouchers" or canceled checks) and obtain an order for closure of the estate.

BRETT J. NIEMEIER, JUDGE
VANDERBURGH SUPERIOR COURT
PROBATE DIVISION

I acknowledge receipt of a copy of the above instructions and have read said instructions carefully.

Dated: _____

Cause Number 82D07 - _____ - ES- _____

ESTATE OF: _____

BY: _____
PERSONAL REPRESENTATIVE

INSTRUCTIONS TO PERSONAL REPRESENTATIVE OF UNSUPERVISED ESTATE

Read the following carefully; then, date and sign one copy and return it to the Court. Keep a copy for your reference.

You have been appointed PERSONAL REPRESENTATIVE of the Estate of a deceased person. It is important that you understand the significance of the appointment and your responsibilities.

Listed below are some of your duties but not necessarily all of them. These duties are not listed in any order of priority. Ask the attorney for the Estate to fully explain to you each of the items below and to tell you about any other duties you have in your particular circumstances. Although the attorney will probably file all papers with the Court, the ultimate responsibility to see that reports and returns are accurately prepared and filed rests with you. As PERSONAL REPRESENTATIVE, you are required to:

- 1.1 Locate all property owned individually or otherwise by the decedent at the date of death; and ascertain the value of such assets as of date of death. Secure all property in safekeeping and maintain adequate insurance coverage; keep records of the assets. If applicable, obtain an appraisal of the property.
- 1.2 Keep a separate checking account or other type of transaction account for the Estate and keep a record of all receipts and disbursements. Never co-mingle Estate funds with any other funds or use them for other than Estate purposes. Accounts and securities which are registered to the Estate should be in your name "as Personal Representative for the Estate of (name of Decedent)." Retain all paid bills and canceled checks or other evidence of disbursement or distribution of any funds or assets of the Estate for the Closing Statement to be filed with the Court.
- 1.3 Within two (2) months after you qualify and receive Letters of Personal Representative, you must file with the Court an inventory of all property found belonging to the decedent on the date of death and giving values as of the date of death. In lieu of an inventory being filed a personal representative may certify to the Court that an Inventory has been prepared and the same distributed to each distributee. (Form available in the Probate Division)
- 1.4 You may need to obtain Consent to Transfer forms from the county Assessor for accounts and securities in order to transfer such assets.
- 1.5 Collect any proceeds of life insurance on the life of the decedent which is payable to the Estate. Obtain Form 712 from the insurance company, if needed for taxes.
- 1.6 Have mail forwarded; complete change of address forms at the Post Office.
- 1.7 Inspect all documents and personal papers of the decedent and retain anything pertinent to tax reporting, location and value of assets, debts or obligations of or to the decedent, or any other items of significance to administering the final affairs of decedent.
- 1.8 Pay all legal debts and funeral bills; however, pay only priority claims timely filed if there is any question of solvency of the Estate. Do not pay bills which are doubtful but refer them for Court determination. Do not make any distribution to any heir or beneficiary until at least five (5) months after the date of first publication by notice.
- 1.9 Prepare and file returns and pay taxes due (or claim any refund) for both State and Federal income taxes for the tax year in which the decedent died and any prior years, if applicable.
- 1.10 Prepare and file the prescribed Schedule and pay any tax due for the Indiana Inheritance Tax within nine (9) months after date of death.
- 1.11 Unless subject to an exception, obtain a federal tax identification number for the Estate. Choose a tax year for the Estate; file Estate income tax returns and pay any tax due for both State and Federal income tax.

- 1.12 Make distribution and obtain receipts for distributions.
- 1.13 File a Closing Statement, with receipts for distribution if already made; send a copy thereof to all distributees of the estate and to all creditors or other claimants whose claims are neither paid nor barred; furnish a full account in writing of the administration to the distributees. File original vouchers with the court.
- 1.14 Pay Court costs and expenses of administration when due.
- 1.15 Make payments and distributions to the right persons. You are responsible for incorrect payments or distribution.

BRETT J. NIEMEIER, JUDGE
VANDERBURGH SUPERIOR COURT
PROBATE DIVISION

I acknowledge receipt of a copy of the above instructions and have read and will follow said instructions carefully.

Dated: _____

Cause Number 82D07 - _____ - EU- _____

ESTATE OF: _____

BY: _____
PERSONAL REPRESENTATIVE

INSTRUCTIONS TO GUARDIAN

Read carefully; date and sign one copy and return it to this Court within ten days. Keep a copy for your reference.

You have been appointed the Guardian of an individual, "Protected Person", who, because of some incapacity, is unable to care for his/her own financial and/or personal affairs. It is important that you understand the significance of this appointment and your responsibility as Guardian.

In order to qualify and have your Letters issued to you, you may be required to post a bond in the amount set by the Court and to take an oath to faithfully discharge your duties as Guardian. The Bond assures the Court that you will properly protect the assets of the Protected Person.

Listed below are some of your duties, but not necessarily all of them. You are directed to ask the Attorney for the Guardianship to fully explain to you each of the items below and to tell you about the other duties you have in your particular circumstances. Though the Attorney will file all papers with the court, the ultimate responsibility to see that all reports, etc., are accurately and timely prepared and filed, rests with you.

As GUARDIAN of the financial affairs of the Protected Person, you are required to:

- 1.1 File with the court, within ninety (90) days after your appointment, a verified Inventory and appraisal of all the property belonging to the Protected Person;
- 1.2 File with the court a verified account of all the income and expenditures of the Guardianship every two (2) years after your appointment;
- 2.3 If assets were placed in a restricted account you are to file an accounting every two (2) years, together with a statement from the financial institution showing the current balance of the funds and that the same remain in an account that is restricted;
- 4 Pay bond premiums as they become due;
- E. File Federal and State Tax Returns for Ward and pay taxes;
- F. File a final accounting, detailing all property and income received and all expenses paid with receipts to verify each expenditure with the Court upon the termination of the guardianship or upon the death of the ward;
- G. Keep all of the assets of the Protect Person separate from your own;
- H. Open an account where the canceled checks are returned to you, in your name as Guardian, in which all of the cash assets of the Protected Person are deposited. This account must be used for all payments or disbursements on behalf of the Guardianship and the Protected Person;
- I. Obtain approval from the Court to use Guardianship assets.

It is your duty to protect and preserve te Protected Person's property, to the account for the use of the property faithfully and to perform all the duties required by law of a Guardian. You may NOT make expenditures or investments from the Guardianship funds without court authorization.

Guardianship funds must never be co-mingled with personal funds. A separate account for all Guardianship assets must be kept in your name as Guardian. Accurate accounts must be kept and accurate reports made. Unauthorized use of Guardianship funds can result in your being personally liable for the misuse of those sums.

As GUARDIAN of the personal affairs of the Protected Person, you are required to:

- A. Make certain that the physical and mental needs of the Protected Person (food, clothing, shelter, medical attention, education, etc.) are properly and adequately provided for;
- B. File with the Court a status report as to the physical condition and general welfare of the Protected Person every two (2) years after your appointment if said Protected Person is over the age of eighteen (18).

- C. File with the Court a status report as to the physical condition and general welfare of the Protected Person yearly after your appointment of said Protected Person is a minor.

It is important to understand that you have the same duties and responsibilities concerning the Protected Person whether or not the Protected Person is your relative.

If at anytime you have a change of address, please notify the Court immediately so that we may make that change to our Court file.

If any questions arise during the Guardianship, you should consult with your Attorney immediately.

I acknowledge I have read and understand the above instructions and agree to follow them carefully, and further that I have kept a copy for my continued use and review.

Dated: _____

Cause Number: _____

The Guardianship of: _____

By: _____, Guardian

STATE OF INDIANA)
) SS:
COUNTY OF VANDERBURGH)

IN THE VANDERBURGH SUPERIOR COURT
PROBATE DIVISION

82D07- _____ - EU- _____
IN THE MATTER OF THE UNSUPERVISED)
ESTATE OF _____,)
DECEASED)
_____,)

CERTIFICATION OF INVENTORY PREPARATION

Comes now the Personal Representative of the Estate of _____,
pursuant to the provisions of I.C. 29-1-7.5-3.2 (e) and certifies to the Court that (1) the Inventory
of the estate's assets, and supplement or amendment to it that is required to be prepared pursuant
to the provisions of I.C.29-1-7.5-3.2 (a) has been prepared and is available to distributees upon
request made to the Personal Representative, and (2) copies of this Certification have been
distributed to each of the distributees.

Dated this ____ day of _____, 20__.

Personal Representative

I, _____, swear and affirm under the penalties of perjury that the
above and foregoing representations are true and correct to the best of my knowledge and
belief.

Personal Representative

(Case Caption)

SET FOR HEARING:

Date: _____

Time: _____

County Courts Building
Room 127, 825 sycamore Street
Evansville IN 47708

**NOTICE THAT PLEADING IS NOT
SCHEDULED FOR FULL EVIDENTIARY HEARING**

The pleading attached to this Notice is scheduled to come before the court on a day and time when it will not be possible to conduct a full evidentiary hearing; only a brief hearing is scheduled. A full evidentiary hearing involves questioning and cross-examination of opposing witnesses, presentation of exhibits supporting positions of two (2) or more opposing parties, and more than brief legal arguments to the Court. Therefore, you should not expect the Court to conduct a full evidentiary hearing on the date of which you are being notified.

If you oppose the action requested in the attached pleading and want the Court to conduct a full evidentiary hearing on whether the pleading should be granted, you must respond to the pleading and request a full evidentiary hearing in one (1) of the following ways. First, you may appear in person or by your attorney at the date and time of which you are now being notified and object to the pleading and request a full evidentiary hearing. Or you may state your opposition and request for a full evidentiary hearing in writing by serving it **BEFORE** the date of which you are now being notified on the Court and the party which filed the attached pleading; the writing must be signed by you or your attorney and must contain the address which you stipulate as adequate for further notice to you. In addition, statutes or court rules of Indiana or these Rules require a specific responsive pleading or specific contents in a response to the pleading attached, and the responding party shall comply therewith.

The court has the authority to order a pre-hearing conference, additional pleadings or

responses, legal briefs, or alternate dispute resolution prior to scheduling a full evidentiary hearing.

Vanderburgh Superior Court
Probate Division
County Courts Building
825 Sycamore Street, Room 127
Evansville IN 47708